

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILROAD TRAINMEN
ATLANTIC COAST LINE RAILROAD COMPANY

STATEMENT OF CLAIM:

1. Carrier violated the terms of the Agreement between the BRT and the ACL when on April 4, 1959, by unilateral action, positions of Dining Car Stewards on Trains No. 191, 192, 75, 76 were abolished and this work assigned to employees not covered by this agreement.

2. The assignments and the work thereof shall be restored to the Agreement.

3. Carrier shall be required to compensate J. C. Pinson and all other Dining Car Stewards for all monetary compensation that they would have earned beginning April 4, 7, 11 and 14, 1959; also all claims of record made by Steward Pinson and all other Dining Car Stewards on subsequent dates.

4. Carrier shall be required to compensate Dining Car Stewards, J. M. Billett, W. B. Gray, T. L. Munden, B. A. Boyle, W. C. Muser, H. S. Jennette, and L. Barfield beginning May 1, 1959, for 205 hours per month, and subsequent months as long as they are deprived of employment because of Carrier's violative actions.

5. Carrier shall be required to compensate each and every named employee for any and all necessary expenses incurred because of this violative action.

6. That any and all other employees adversely affected or who may hereafter be deprived of employment by such wrongful action, shall be compensated for any and all wages lost and be reimbursed for any necessary expenses.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon and upon the whole record and all the evidence, finds and holds:

That the Carrier and the Employes involved in this dispute are respectively Carrier and Employes within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein;

That the dispute was certified to the Third Division of the Adjustment Board ex parte by complainant party; and

That hearing thereon has been held and concluded, and under date of July 25, 1960 a formal communication was addressed to the Secretary of the Third Division requesting withdrawal of the case from further consideration by the Division, which request is hereby granted.

AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 9th day of September, 1960.